

# **The City of Savannah**

## **Private Property Access Ramp Encroachment**

### **Criteria, Procedures and Specifications**

#### **Purpose:**

To define a coordinated process for providing ADA compliant access to private business when that access might necessitate modification to the City of Savannah right-of-way.

#### **Policy:**

- It is the responsibility of both private property owners and the City of Savannah through Title II and Title III obligations to provide Americans with Disabilities Act (ADA) access to respective structures owned by each entity to the maximum extent feasible. Whenever readily achievable, access to privately-owned structures should be provided within the private property boundaries. This may be possible through modification or addition to the existing structure.
- It is the responsibility of private property owners to examine the physical and architectural features, especially the front portions of interior rooms, to determine if internal modifications are not practicable or reasonable in cost. Whenever determined, it will be reviewed by the City of Savannah.
- Public sidewalks should be free of undulations, grade changes, obstacles to the free flow of pedestrian traffic and should not deviate from pedestrian expectations.
- The requesting party who wishes to encroach into the City of Savannah's rights-of-way in order to provide an ADA accessible entrance to a structure must have considered design avenues available through the ADA that are readily achievable as defined in the ADA Title III regulations and which meet the spirit of the Law. The ADA allows variances to minimum specifications based on certain criteria as established by the Department of Justice. If a design can meet these variance criteria, then that design should be used and the need for an encroachment in the right-of-way is no longer necessary. In those cases in which the access cannot meet minimum specifications or variances as set forth in the regulations or be readily achievable, consideration will be given for encroachment into the public rights-of-way for the purpose of installing accessible entrances to private property. Code of Federal Regulations, Part 36, ADA Standards for Accessible Design, commonly known as ADA Accessibility Guidelines (ADAAG), may be accessed and downloaded at <http://www.usdoj.gov/crt/ada/stdspdf.htm>.

- Requests for encroachment into the public right-of-way for purposes of ADA access will only be permitted under the following circumstances:
  - S An ADA compliant entry to the premises constructed on the interior of the building is not “reasonably” achievable.
  - S The encroachment on the public right-of-way would not create a safety hazard.
- Requests for encroachment into the public right-of-way for purposes of ADA access will be evaluated based upon the following items:
  - S Public Safety
  - S Impact Upon Right-of-Way and Adjacent Property
  - S Impact Upon Historical Surroundings and Buildings
  - S Compatibility with Adjacent Property
  - S Feasibility
- A performance bond and maintenance agreement will be required prior to approval of encroachment. The performance bond will be in the amount estimated by the City to correct or complete the access design and include a right of entry document allowing the same. The property owner will be required to accept maintenance responsibility in perpetuity, by written agreement, of the access structure and any attachments, such as hand railings, even that portion that extends into the public right-of-way.

## **Design Standards for ADA Access Encroachment:**

Ref: 28, Code of Federal Regulations, Part 36, ADA Standards for Accessible Design or City of Savannah, <http://www.usdoj.gov/crt/ada/stdspdf.htm> detail PO6.

1. Designs must comply with the latest ADA minimum or variance specifications. (ADAAG)  
 Alternate minimum requirements may apply for structures which meet the criteria for Historic Preservation as defined in 28, Code of Federal Regulations, Part 36, ADA Standards for Accessible Design, section 4.1.7, Accessible Buildings: Historic Preservation.
- 2 City of Savannah minimum specifications:
  - a) Slopes within the boundaries of the ramp, ref: Sect 4.8 (ADAAG)  
 Longitudinal slopes shall be #16:1 ( fig.1) and lateral slopes shall be #12:1 (fig.2).
  - b) Sidewalk cross slopes, ref: Sect.4.3.7 (ADAAG)  
 Cross slopes (lateral) shall not exceed 1:50 (2%)
  - c) DESIRABLE distances between longitudinal slope returning to existing sidewalk between two ramps is 25 feet.

An alternative scalloped design (fig.3) may be allowable, conditional upon site location (isolated) and/or physical barriers to standard design.

- d) Minimums and maximums shall not be reduced/increased.
- e) Curb height may not be adjusted to meet requirements. Upon approval, curb cuts may be closed to aid in design requirements.
- f) No appurtenances will be allowed which would interfere with the movement of pedestrians, delivery of goods or otherwise create unsafe conditions as determined by the city.
- g) Adjacent property access may not be infringed.
- h) The design must incorporate existing materials, materials that are to be used in a currently planned city project or materials similar to those adjacent to the site which would establish continuity.

## **Procedures to Obtain City Approval of Property Owner's Access Plan:**

1. The property owner shall submit to the City's Inspection Director an Engineering Report stamped by a Registered Engineer/Architect that includes a recommendation for ADA compliant access to the property. The Director will review the report and render response either in agreement with the plan or suggested modifications within 21 business days of submission. If it is determined that access is feasible within the property boundaries, plans will then be submitted to the Inspections Department.
2. If the determination by the Inspections Director is that access is technically infeasible within the property boundaries, the owner must submit a petition and engineering plans to the City's Real Property Coordinator. The petition and plans will be forwarded to various City departments for review, as a minimum to the departments of Traffic Engineering and Street Maintenance. Reviewing departments may contact the owner or consultant to obtain clarification. Each department will make comments and recommendations to the Real Property Coordinator who will compile all responses into a single report for the City Manager's review within 30-days of submission.
3. Upon City Manager approval, and within 15 days of receipt by the City Manager, the petition will be placed on the next City Council agenda.

## **Permitting:**

If City Council approves the encroachment, the owner or designated representative, must obtain a permit to construct within the rights-of-way from the Traffic Engineering Department. The application must include a signed maintenance agreement, performance bond, and a copy of the modified deed and plat indicating property owner

maintenance responsibility. If approved, such permit will be issued within 30 days of submittal of application.

## **Construction:**

1. A City of Savannah Construction Inspector will perform inspections during the construction to assure quality control and will approve/disapprove the completed structure within 10 days of completion. All conditions stated within the permit and included in the accepted plans, must be adhered to during construction. Upon approval, the Construction Inspector will sign off on the Maintenance Agreement and will cause the return of escrow monies to the appropriate entity.
2. If disapproved, the owner will correct all punch list items in order to obtain approval. Failure to do so within a 30-day period will cause forfeiture of the performance bond and corrective action by the City. In either instance, the maintenance agreement will remain in force.

## **Key Player and Contacts for Assistance:**

Consultation regarding location of Access

Inspections Department  
Gamble Bldg. 2<sup>nd</sup> Floor  
6 E. Bay Street  
Savannah, GA 31401  
ph. 912-651-6530

Call for Petition to Encroach:

Clerk of Council, 1<sup>st</sup> Flr., City Hall  
P.O. Box 1027  
Savannah, GA. 31402  
ph. 912-651-6441

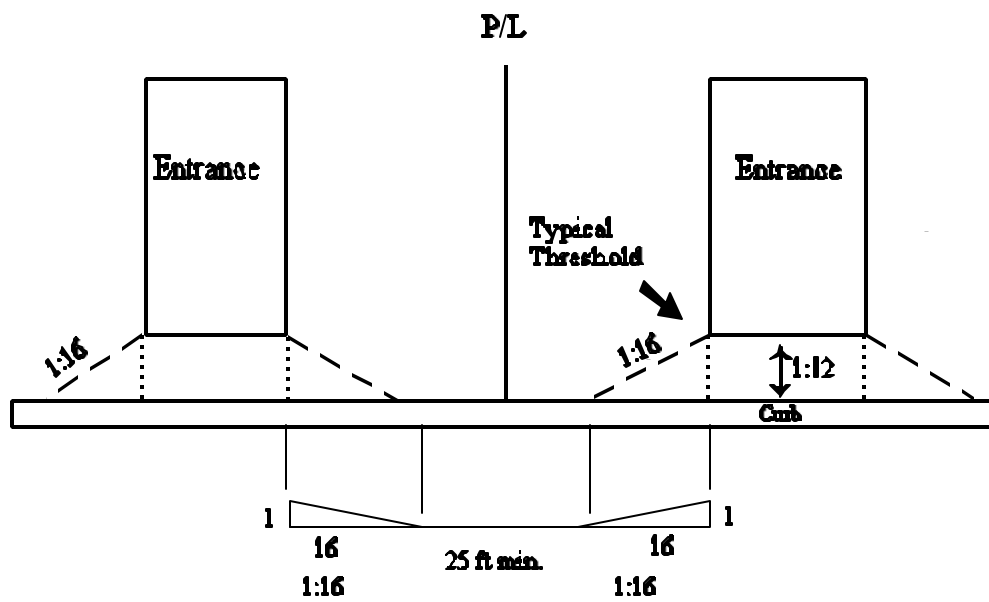
Encroachment Petition Submittal:

Laurie-Jean Stellberg  
P.O.Box 1027  
Savannah, Ga 31402  
ph. 912-651-6510

Design Review:

Street Maintenance Department  
702 Stiles Avenue  
Savannah, GA 31415  
ph. 912-651-6571

Traffic Engineering Department  
1100 West Gwinnett Street  
Savannah, GA 31415  
ph. 912-651-6600



**Fig.1 Front View**

**Fig. 2 Side View**

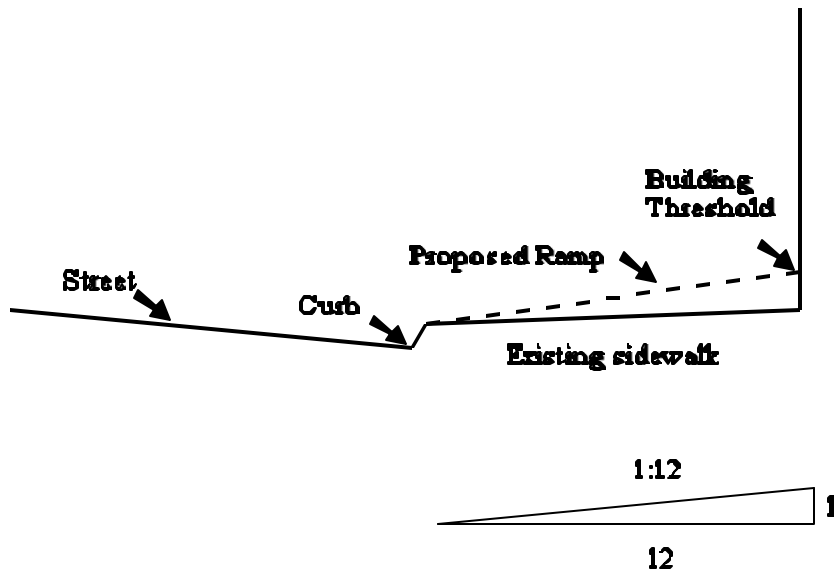


Figure 3. Scalloped Design

